(Spl.-H.C.A.S.,C.D.,78-e)

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF BOMBAY AT GOA
APPELLATE SIDE

WRIT PETITION NO. 116 OF 2004

Office Note, Office Memoranda of Quorum, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's Orders

Shri S. D. Lotlikar, Senior Advocate with Ms. Shambhavi Dessai, advocate for the petitioner.

CORAM : D. G. KARNIK, J.

DATE : 24th March, 2004

P.C.:

Heard learned counsel for the petitioner, who seeks to withdraw the petition subject to the clarification that the observations made by the learned Judge while dismissing an application under Order XII Rule 6 C.P.C. are only prima facie in nature and do not bind the parties at the final hearing of the suit. Obviously, the said observations are preliminary in nature and the learned Judge has observed that the defendants had admitted the alleged documents. It is accordingly clarified, that the observations in the order are

limited for the purpose of the decision of the application only. Subject to this clarification, the learned counsel seeks leave to withdraw the petition. Leave granted. Petition disposed of as withdrawn.

D. G. KARNIK, J.

mc.